

The Shalom Court of Tel-Aviv Jaffe

T”A 62235/09/19

Orly Genger I.D. 01530293-8

By her attorney Yuval Nehamni and/or Drod Arad Aylon

From Weizman Street 4 Te-Aviv, 64239

Tel: 03-6212444; Fax: 03-6212440

Plaintiff

Vs.

Sason Matityahu

I.D. 37628252

From Hashomer 59 Rishon Lizion

Defendant

Substance of suit: Monetary damages, injury to privacy

Amount Sought: 500,000 NIS

Complaint

Introduction

1. With respect to the injury to privacy, with respect to exploitation of databases, it has been said amongst other things:

“The technological advances of the modern age brought with them as a side effect widening possibilities to injury of privacy. The databases in the hands of agencies,...give public employees with access ability and power to gather great amounts of information on any member of the Israeli public from any angle of his various areas of life. The apocalyptic vision of George Orwell in his words “Big Brother” is easily likely to turn into a reality if restrictions are not implemented to restrict access to the databases and their use above and beyond their limited intended use for which the authority was vested in the persons entrusted with the databases” (Hon Judge, as then titled, D’ Beinish, {CITATION}).

2. The right to privacy, which is found in the law for the protection of privacy, 5741 1981, (henceforth – “Law for the Protection of Privacy”) was raised as a foundational right through foundation law of the dignity of man and liberty.
3. This suit deals with a severe injury to the privacy, whilst violating the mandate of the law and unlawful use of databases.

The Facts

4. The defendant presents himself as a private investigator with a license. He operate under the trade name "Proper Disclosure An Investigative Company." He caused an injustice to defendant, and injured her privacy as detailed below for greed of money, when he was operating by authority of a license, when the violation of general law accompanies the violations of ethics of private investigators and private security, 5732-1972,
5. Plaintiff is an Israeli citizen.
6. At an unknown time, either directly or indirectly the defendant called Mr. Sagi Genger, her brother, and agreed to supply him for money, private information concerning the plaintiff. Specific information that the defendant obligated himself to transmit could not have come into his possession except through the execution of criminal violation of the Law for the Protection of Privacy and the Computer Law 5775-1995 (henceforth, "Computer Law").

Injury to Privacy in Databases Holding Bank Information

7. At an unknown time or at unknown times, the defendant himself, or with cooperation of others of unknown identity, extracted from databases information concerning information concerning the plaintiff's accounts at Bank Hapoalim.

Injury to Privacy of Databases Including Records of Entry and Exits from Israel

8. At time or time unknown the defendant extracted himself, or with the cooperation of with other unknown persons, from databases, a record of the entry and exits of the plaintiff from Israel. The defendant wrote the information and gave it to others for their use.
9. The aforementioned acts, are an injustice by the defendant to plaintiff an injustice through injury to privacy and violation of secrecy of databases laws, violating paragraph 2 (1), (7), (9), (10), (11).
10. The aforementioned acts also constitute a criminal violation infiltration to computer data in violation of law, and/or infiltration to computer material to transgress a different law, according to paragraphs 4 and 5 to the Computer Law 5775-1995. The mandate of the Computer Law, were meant to protect plaintiff, and accordingly, constitute defendant's actions, as a violation of liability according to paragraph 63 of the order of damages.

Use of Information Unjustly Gathered

11. On 9/12/2019 or about then the defendant sent to Mr. Sagi Genger directly or through a representative a letter with the subject "Orly Genger," and in it included information obtained through the above unjust acts.

A copy of the letter is attached as exhibit A

12. As such, the defendant unjustly injured, plaintiff an injustice of use of information private of a person and/or publication, contrary to paragraph 2 (9), (10) and (11) to the law for the protection of privacy.

Damages

13. In this grave incident, of continuous violations toward the plaintiff, by a licensed private investigator for greed of money, the presumption is that the injustice was done with the intent to injure.
14. Damages of plaintiff are estimated at the time of suit at 500 thousand NIS.

Conclusion

15. The honorable court is requested to summon the defendant to justice, accept the complaint, and require him to pay plaintiff the damages cited above.

Attorney Yuval Nechamni

Representative of plaintiff